

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA

2006 JUL 19 A 9:27

Tony Fountain #152157  
Plaintiff,

Case no: 2:06-CV-548  
-MHT.

VS.

Dr. Peasant, et al  
Defendants.

AFFIDAVIT IN SUPPORT OF  
My Motion For Good Cause  
Shown

My name is, Tony Fountain, the affiant herein and I'm over 21 years of age and can testify to the facts below in any Court of law. I assert the facts herein are true and correct to the best of my knowledge and belief. On or about June 15, 2006 I did not intentionally omit the cent sum of ".32" from my affidavit of hardship. I stress the fact that Exhibit - C attached is a canteen Receipt from the day before June 14<sup>th</sup> 2006 will help shed some light to the truth of this matter. It's Shows that my account at the time was \$24.71.32 and would substantiate the fact that I inadvertently omitted the cent sum

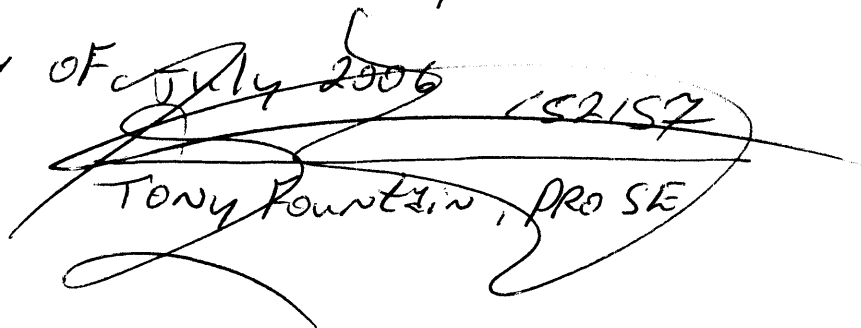
OF ".32" FROM MY MOTION/AFFIDAVIT TO PROCEED IN FORMA PAUPERIS. WHEN I FILED MY COMPLAINT (S.O.S) I WAS NOT EVEN CONCERNED WITH A DOLLARS AMOUNT ON MY HEALTH AND LIFE ~~AND~~ STILL IS AS OF THIS DATE. IF I WAS I WOULD HAVE ASKED FOR A DOLLARS AMOUNT IN MY ORIGINAL COMPLAINT, MY CONCERN WAS WITH MY MEDICAL CONDITION, SUCH AS THE PROGRESSION OF MY SYMPTOMS. THAT HAVE GONE FROM SEEING SPOTS IN MY STOOL, TO NOW SEEING CLOTS OF INDIVIDUAL BLOOD WHEN I DEFECATE. (IN MY STOOL/ALONG WITH) NOT TO MENTION MY EYESIGHT AND BAD VISION.

2). plaintiff also stress the facts that the reason an inmate's account statement didn't accompany his petition was because was afraid of retaliation from the named defendants if they seen their names on the form that is provided to inmates to fill-out in order to acquire a P.M.D. account. In which you must complete, by listing their names on it. And that after receiving this court order of June 22 2006, he decided his complaint was not being taken seriously and decided on June 28 2006 to prepare a motion to withdraw (motion for good cause) and moved out a prison request to have a 250 dollars withdrawal from his P.M.D. account. (see attached Exhibits - B to my opposition to Magistrate Recommendation)

However, plaintiff stress the point on the day he was going to submit his Request along with his Motion (Exhibit-B) on June 28 2006 he Received a Recommendation From Court Recommending that his petition for an Emergency injunction be denied. Therefore he decided against submitting Exhibit-B. Plaintiff contend that the filing of the aforementioned petition was not done to intimidate, harass the named defendants; but only to get taken to someone who was capable of diagnosing and treating his symptoms of seeing clots of individual blood after defecating in and around his stool.

Plaintiff also point out the facts the aforesaid symptoms are associated with Colon and prostate cancers which is a number one killer in men 40-65, especially among men of his race (black). I sincerely apologize to the Court for thinking I was trying to mislead it. ANYTHING FURTHER YOUR AFFIANTS SAYTH NOUGAT!

Done this 8<sup>th</sup> day of July 2006

 152157  
Tony Fountain, PRO SE

AFFIRMED AND SUBSCRIBED  
BEFORE ME: James H. Lacy Jr.  
ON THIS 8<sup>th</sup> Day of July 2006  
MY COMMISSIONS EXPIRES:  
1/28/08 Elmore, AL